

TIVERTON TOWN COUNCIL AGENDA

Tiverton Town Hall

343 Highland Road

Tiverton, Rhode Island 02878

Regular Meeting: Monday, September 23, 2013 at 7:00 p.m.

NOTE: Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 forty-eight (48) hours in advance of the meeting date.

DATE POSTED: 09-19-2013

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. ROLL CALL

Edward Roderick-President Joan B. Chabot Jay J. Lambert

**Denise M. deMedeiros-Vice President William P. Gerlach Brett
N. Pelletier**

James J. Arruda

3. APPROVAL OF CONSENT AGENDA

All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in

its normal sequence on the agenda.

A. BUSINESS BROUGHT BEFORE THE COUNCIL

CONSENT AGENDA:

(C.A.)1.a.Approval of Minutes Regular Council Meeting September 9, 2013

Councilor Pelletier Abstained - Absent

b.Approval of Executive Session Minutes September 9, 2013

Councilor Pelletier Abstained - Absent

c. Approval of Joint Workshop Minutes September 12, 2013

Councilor deMedeiros Abstained - Absent

(C.A.)2.Receipt of Minutes from the Following Boards, Commissions

a.Art's Council

b.Library Board of Trustees

c.Prevention Coalition

d.Recreation Commission (3)

e.Wastewater Management Commission

(C.A.)3.Correspondence – Receive and File

a. Barbara Pelletier Regarding August Meeting of the Newport Counties Visitors Bureau

b. Town of Middletown – Resolution Expressing Support for the Concept of Bringing the Retired

Aircraft Carrier USS John F. Kennedy to Newport County

c. Discover Newport – Annual Audit Report

d. Town of Richmond – Proclamation for Pancreatic Cancer Awareness Month

(C.A.)4. Atty Brian Cunha — Referred to Interlocal Trust – Stanley Claim

(C.A.)5. Approval of Tax Assessor Abatements

(C.A.)6. Approval of Petition for National Grid for One New Pole on Fish Road #37-25

a.Response From S. Berlucchi, DPW Director

b.Copy of Town Stipulations Required for Approval

(C.A.)7. Approval of Proclamation – National Friends of Libraries Week – October 20 – 26, 2013

(C.A.)8. Planning Board Memorandum Dated 9/5/13 Regarding Winterberry Woods Remaining Surety

Referred to Town Solicitor

(C.A.)9. Approval of Proclamation – Pancreatic Cancer Awareness Month – November 2013

A-10- OPEN PUBLIC FORUM FOR ANNOUNCEMENTS, COMMENTS, QUESTIONS

B –PUBLIC HEARINGS & PUBLIC PRESENTATIONS

1.Chief Thomas Blakey – Introduction of Town Senior Recognition

C. TOWN COUNCIL SITTING AS BOARD OF LICENSING

NON ADVERTISED LICENSE

1.Roy Ferrell, Quality Island Construction LLC., 1246 Fish Road - Requests Approval of Drainlayers License – Subject To Meeting All Legal Requirements

2.Michael F. Neves – MFN Development Corp d/b/a Three Ducks Car Wash, 400 Main Road – Requests Approval for Holiday License and Petroleum Storage License – Subject to Meeting All Legal Requirements

3.Scott DaSilveira of Scotts Corporation, 280 Market Street, Warren, RI – Requests Approval of Drainlayers License – Subject To Meeting All Legal Requirements

D - APPOINTMENTS & RESIGNATIONS:

1.Wastewater Management Commission Re-Appointment to Expire 4/15/2014

Colleen Stanton, 50 Craig Avenue

E - UNFINISHED BUSINESS:

1.Heidi Swist – Authorization to Hold Motorcycle Run to Honor a Dear Friend on Sunday, October 6th from 9:30a.m. till Noon Beginning at Stafford Pond – Continued From 9/9/13

2.Councilor Gerlach – Comprehensive Plan Advisory Committee Revised Resolution

F – FINANCIAL BUSINESS

G - NEW BUSINESS:

1.Economic Development

a.Economic Development Commission Update

b.Councilor Gerlach – Update on Planning for a Local Business Forum Event in Partnership with the EDC

2.Councilor Chabot – Volunteer Appreciation Night

3.Councilor Pelletier – Review of Advertising Policy/Ordinance by Solicitor and Estimates on Costs by Town Clerk – Report by November 12 Meeting

H – BIDS AND REQUESTS FOR PROPOSALS

I - TOWN ADMINISTRATOR ITEMS AND ANNOUNCEMENTS

1.Memorandum to Boards, Commissions and Committees Regarding Open Meetings, Annual Reports and Public Records

J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS

K – TOWN SOLICITOR – ITEMS AND ANNOUNCEMENTS

1.Drinking Water Reservoir Fish Tournament Permits

a.DEM Complaint

b.Tiverton Answer to DEM Complaint

c.Update

2.Quarry Licenses – Scheduling of Public Hearings on November 12, 2013

3.Litigation – LAL Construction, Inc., et al (Site Ready) v. Town of Tiverton CA# 13-344M

Initial Disclosures of Plaintiffs

L- TOWN CLERK ITEMS AND ANNOUNCEMENTS

1. September 30th Workshop Agenda

5. CLOSED EXECUTIVE SESSION

1. Litigation 42-46-5(a)(2) – O'Dell et. al. v. David Robert in His Capacity as Tax Assessor for the Town of Tiverton, Rhode Island and the Town of Tiverton Case Number NC2010-0517

2. Town Administrator – 42-46-5(a)(5) - Acquisition of Real Property for Public Purposes

3. Town Administrator–Personnel Performance–42-46-5(a)(1)–Town Administrator's Executive Assistant – Mary Lou Sullivan

4. Personnel Performance – 42-46-5(a)(1) – Town Administrator – James Goncalo

A portion of this meeting may be held in executive session pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended

6. ADJOURNMENT Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational

purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”